

Docket No. NB 2016.00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application for:

Ming Fai CHAN

Serial No.: 09/847,525

Filing Date: May 1, 2001

For: BETA-LACTAM ANTIBIOTICS (As  
Amended)

Examiner: Berch, Mark L.

Art Unit: 1624

Mail Stop Petitions  
Commissioner for Patents  
Alexandria, VA 22313-1450

FAX RECEIVED

JUL 28 2003

PETITIONS OFFICE

**COMMUNICATION ACCOMPANYING PETITION TO REVIVE AND  
REQUEST FOR CHANGE OF CORRESPONDENCE ADDRESS**

Sir:

This paper is submitted in connection with a Petition to Revive an Application Unintentionally Abandoned concurrently filed today with the U.S. Patent Office for the above-identified application. This Communication is filed to request: 1) the Office to correct its records for the subject application; 2) a copy of the Office Action issued November 8, 2002; and 3) for Suspension of the Rules (37 C.F.R. § 1.183) and Refund of Petition Fees. Any fees due in connection with the filing of this Communication should be charged to the undersigned's Deposit Account, Account No.: 50-2518 (reference number 23896-7062).

**Correction of Correspondence Address**

Applicants respectfully request that the Office correct its correspondence address records for the undersigned attorney to:

Antoinette F. Konski, Esq.  
Bingham McCutchen LLP  
Three Embarcadero Center, Suite 1800  
San Francisco, CA 94111-4067

This correspondence address was supplied to the Office in the Power of Attorney signed by the assignee's representative provided to the Office. A copy of the Power of Attorney is attached hereto for the Office's convenience.

#### Office Action

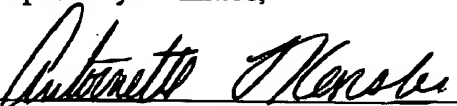
The subject application became abandoned for failure to reply to the Office Action mailed November 8, 2002. Applicants did not respond because a copy of the Office Action was not received by Applicants' undersigned attorney. A copy of the Action is respectfully requested, and Applicants request that it be faxed to the undersigned attorney at the number provided below.

#### Suspension of the Rules and Request for Refund

The subject application became unintentionally abandoned because the undersigned did not receive a copy of the Office Action which was mailed to the undersigned's prior law firm. Although the address of the prior firm was listed as the correspondence address when the application was filed, the Power of Attorney (copy attached) identified the undersigned's present law firm and correct correspondence address. (For this reason, a change of correspondence address was not filed with the Office.) Thus, Applicants' attorney respectfully requests suspension of the requirement of the payment of the Petition Fees (37 C.F.R. § 1.183) on the ground that the subject application did not become abandoned for Applicants' failure to act.

DATE: July 28, 2003

Respectfully submitted,

By:   
Antoinette F. Konski, Esq.  
Registration No.: 34,202

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